

Application Number 10/773,121
Supplemental Amendment dated August 10, 2006

REMARKS

Applicant respectfully requests entry and consideration of this Supplemental Amendment prior to preparation of a subsequent Office Action. Applicant has amended claims 1, 7-9, 16, 38, 43, 46, 49 and 50. Applicant canceled claims 6 and 41. Claims 1-5, 7-40, 42-50 remain pending.

No new matter has been added by the amendments to the claims. For example, support to the amendments to claims 1 and 46 can be found from, for example, canceled claim 6. The amendments to claims 7-9 were made to correct their dependencies in view of the cancellation of claim 6 and the amendment to claim 1. Support for the amendment to claim 16 may be found from, for example, paragraph [0053] of the specification. Support to the amendments to claim 38 can be found from, for example, canceled claim 42. Claim 49 was rewritten as an independent claim, and claim 50 was amended to depend from claim 49.

As noted in Applicant's Amendment dated June 23, 2006, the references applied in the rejections under 35 U.S.C. §103 fail to disclose or suggest an elongated dilator, wherein at least a portion of the conical distal tip has a substantially oblong cross-section. Applicant refers the Examiner to Applicant's Amendment dated June 23, 2006 for further detail regarding Applicant's traversal of the rejections in the Office Action dated March 23, 2006.

CONCLUSION

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Applicant does not acquiesce in any of the Examiner's current rejections or characterizations of the prior art, and reserves the right to further address such rejections and/or characterizations.

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Applicant has included a check in the amount of \$200.00 to cover the cost of one additional independent claim. Please charge any additional fees or credit any overpayment to deposit account number 50-1778. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Date:

AUGUST 10, 2006
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